

**TOWN OF FREDERICK, COLORADO
ORDINANCE NO. _____**

**AN ORDINANCE OF THE TOWN OF FREDERICK COLORADO,
TEMPORARILY EXTENDING THE CABLE TELEVISION SYSTEM
FRANCHISE AGREEMENT WITH COMCAST OF COLORADO**

WHEREAS, on March 11, 2004, the Board of Trustees for the Town of Frederick, adopted Ordinance No. 731 approving the grant of a nonexclusive and revocable Cable System Franchise to Comcast of Colorado IV, LLC ("Comcast") for its construction and operation of a cable television system within the Town; and

WHEREAS, Section 2.3 of the Franchise Agreement provides that the franchise granted to Comcast will expire February 26, 2010, unless terminated sooner; and

WHEREAS, Comcast entered into similar franchise agreements with Towns of Firestone and Dacono which also expire in 2010; and

WHEREAS, the Town Clerk, in concert with representatives from Firestone and Dacono, have discussed with representatives of Comcast coordinated local (i.e. tri-town) franchise renewals and all parties have agreed that their respective interests will be served by a brief extension of the existing Franchise Agreement to accommodate negotiating uniform terms for the tri-town area franchises; and

WHEREAS, the Board of Trustees is therefore agreeable to temporarily extending the existing term of the Franchise Agreement, not to go past December 31, 2012, on specific terms to accommodate preparation of uniform tri-town area franchise agreement terms.

**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF
FREDERICK, COLORADO, AS FOLLOWS:**

Section 1. The Board of Trustees for the Town of Frederick hereby approves a temporary extension of the term outlined in the Franchise Agreement between the Town and Comcast of Colorado IV, LLC, in order to permit the Town to coordinate with the Towns of Firestone and Dacono on a uniform form of franchise agreement terms with Comcast for service in the tri-town area.

Section 2. The initial period of extension shall be for six (6) month from February 26, 2010, and thereafter on a month-to-month basis, not to continue beyond December 31, 2012.

Section 3. Effective date. This ordinance shall be published and become effective as provided by law.

Section 4. Severability. If any part, section, subsection, sentence, clause, or phrase of this ordinance is for any reason held invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Town hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 5. Repealer. All ordinances or resolutions and motions of the Board of Trustees of the Town of Frederick or parts thereof in conflict with this ordinance are, to the extent of such conflict, hereby superseded and repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance, resolution or motion, nor revive any ordinance, resolution, or motion thereby.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED
THIS _____ DAY OF _____, 2010.

ATTEST:

TOWN OF FREDERICK

By _____
Nanette S. Fornof, Town Clerk

Eric E. Doering, Mayor